

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TIARE TECHNOLOGY, INC.,

Plaintiff,

v.

PETCO ANIMAL SUPPLIES, INC.,

Defendant.

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Civil Action No. 2:21-cv-152

JURY TRIAL DEMANDED

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

COMES NOW Plaintiff Tiare Technology, Inc. (“Tiare”) and hereby files this Notice of Voluntary Dismissal of Defendant Petco Animal Supplies, Inc. pursuant to Federal Rule of Civil Procedure 41(a)(1). According to Rule 41(a)(1), an action may be dismissed by the plaintiff without order of court by filing a notice of dismissal at any time before service by the adverse party of an answer. Defendant has not yet answered the Complaint. Accordingly, Plaintiff Tiare voluntarily dismisses Defendant Petco Animal Supplies, Inc. with prejudice pursuant to Rule 41(a)(1). Each party has agreed to bear its own costs and attorney fees in this action.

Dated: August 9, 2021

Respectfully submitted,

By: /s/ Christian Hurt
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Counsel for Tiare Technology, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(V). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), any counsel of record not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing by email on this 9th day of August, 2021.

/s/ Christian Hurt
Christian Hurt